

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

AARON GARMAN,

Plaintiff,

v.

JO ANNE B. BARNHART, Commissioner of
Social Security,

Defendant.

CASE NO. C05-5076FDB

ORDER ADOPTING REPORT
AND RECOMMENDATION

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Judge Karen L. Strombom, United States Magistrate Judge, the remaining record, and there being no objections to the report and recommendation, does hereby find and ORDER:

- (1) the Court adopts the Report and Recommendation;
- (2) the ALJ erred in his decision as described in the report;
- (3) the matter is therefore REVERSED and remanded to the Commissioner for further administrative proceedings; and
- (4) the Clerk is directed to send copies of this Order to plaintiff's counsel, defendant's counsel and Magistrate Judge Karen L. Strombom.

DATED this 16th day of December 2005.



FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE